IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

NOTICE OF MOTION NO.124 OF 2005

IN

WRIT PETITION NO.1824 OF 2004

Lovely Hotels Pvt. Ltd. ..Petitioners.

vs.

The Municipal Corporation of

Greater Mumbai & Ors. ..Respondents.

....

Mr.A.A.Kumbhakoni i/b Lex Consultus for the Petitioners.

Mrs.A.R.Joshi for the BMC.

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CORAM : DR.D.Y.CHANDRACHUD, J.

7th March, 2005.

P.C. :

Not on Board. By consent taken up on Board and called out.

Justice F.I.Rebello while admitting the Petition, granted interim relief in terms of prayer clause (c-i) restraining the Municipal Corporation

from holding an auction of the property for recovery of property taxes subject to deposit of the amount demanded in the warrant of attachment within a period of 8 weeks in Court. An appeal was carried against the aforesaid order and was dismissed by the Division Bench on 15th December, 2004. The period stipulated in the order of 13th September, 2004 has since expired. Even now the Petitioner is not in a position to deposit the entire amount as required in the interim order of the learned Single Judge which is confirmed in appeal. There is no merit in the Motion which is accordingly rejected.